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OFFICE OF PETITIONS

In re Application of :
Lisa Guerra et al :
Application No. 09/802,662 : DECISION GRANTING PETITION
Filed: March 9, 2001 : UNDER 37 CFR 1.137(b)
Attorney Docket No. BVOCPO11 :

This is a decision on the petition under 37 CFR 1.137(b), filed February 1, 2005, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to to the nonfinal Office action mailed September 15, 2003, which set an extendible three month shortened statutory period for reply. No reply or extensions of time having been obtained pursuant to the provisions of 37 CFR 1.136(a), the application became abandoned on December 16, 2003. A Notice of Abandonment was mailed on July 12, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply (amendment); (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the nonfinal Office action of September 15, 2003 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

The matter is being referred to Technology Center AU 2654 for such further action as the nature of the case requires.


Frances Hicks

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy